GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

(R&B) Department – APRDC- Legal fees & expenses paid to the Arbitrators/Legal counsels from APRDC funds since 2007- Reimbursement for an amount of Rs. 1,76,12,572/- Sanction- Orders-Issued.

TRANSPORT, ROADS & BUILDINGS (R.I) DEPARTMENT

G.O.RT.No. 117 Dated: 15-04-2020

Read the following:

1. Govt. Memo No. 8151/R.IV.2/2006, dated 06.12.2006.
2. Minutes of the 17 th Governing body meeting held on 07.06.2007
3. From the Chief Engineer(R&B), SH & MD, APRDC,Vijayawada, A.P., Lr. No.210519/MD, APRDC/PD/EE (PPP)/DEE-2/AEE-5/LEGAL COUNSEL/ 2019, Dt: 21-06-19 & 14.11.2019 .

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ORDER:

In the ref 1st read above, Government, has advised the Chief Engineer (R&B) & Managing Director, APRDC to engage competent legal counsel to put up proper legal defence at Arbitrations of APSHP & other projects with an objective that the Department should win and should not suffer due to lack of quality in legal representation.

2 In the ref 2nd read above, the 17th Governing body during the meeting held on 07.06.2007 had noted the necessity and delegated powers to Chief Engineer (R&B) & Managing Director, APRDC for appointment of legal experts at his level. The Governing Body also directed to utilize the services of Senior Advocates in the counsel for BOT, APRSP projects and miscellaneous legal services like delivering opinion, drafting pleadings of outstation cases, vetting the documents, etc., In order to avoid procedural delays in making payment to legal counsel, the Governing Body permitted to make payments from available APRDC funds, if any, and the Government shall reimburse the spent amount from appropriate Heads of Accounts from time to time.

3 In the ref 3rd read above, the Chief Engineer(R&B) SH & MD, APRDC, AP has stated that as per the directions of the Govt. and Governing Body, 5 senior advocates have been appointed as the Legal counsels/Arbitrators for taking up the cases in Arbitration, City Civil Court, High Court, etc., and fees for Legal counsels/Arbitrators are being paid from APRDC funds. An amount of **Rs.1,76,12,572/-** was paid to the Arbitrators/Legal counsels from APRDC funds since 2007 towards legal fees & expenses. He has requested the Government to reimburse the amount paid to the Legal counsels/Arbitrators towards Legal fee , duly allotting funds to the Head of Account 5054-04-MH800-GH11-SH(33)-280/281 and credit the same to the Bank Account of MD, APRDC, i.e., 36228561881, SBI, Treasury Branch, Ibrahimpatnam IFSC Code: SBIN0018876.

4. Government after careful examination of the matter hereby accord administrative sanction for **Rs.1,76,12,572/-** (Rupees One Crore Seventy Six Lakh Twelve Thousand and Five Hundred and Seventy Two only) towards reimbursement to the APRDC, paid to the Legal counsels/Arbitrators towards legal fees & expenses.

5. The Chief Engineer (R&B) SH & MD, APRDC, Vijayawada, AP, is instructed to keep the necessary amounts in the financial year 2020-2021 budget estimates for the HOA- 5054-04-MH800-GH11-SH(33)- 280/281 and take further necessary action in the matter.

6. This orders issues with the concurrence of Finance Department vide their U.O. Fin.U.O.No. U.O.No.FIN01-FMUOMRAS(TRBD)/1/2019, Dt: 10.02.2020

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA ADESH)

M.T.KRISHNA BABU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Engineer (R&B) SH & MD, APRDC, Vijayawada, AP.
Copy to:

The OSD to M(R&B), A.P.Secretariat.
The P.S to Prl.Secy , TR&B Dept., A.P.Secretariat
The Finance Department, A.P.Secretariat.
The Accountant General, A.P., Vijayawada
SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER